

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : Crim. No. 3:18-CR-223
 :
 v. :
 : (JUDGE MARIANI)
 SHAWN CHRISTY, :
 Defendant :
 : FILED VIA ECF

GOVERNMENT'S SENTENCING MEMORANDUM

The defendant Shawn Christy was convicted by a jury of threatening the President of the United States, 18 U.S.C. Section 871, three counts of transmitting threatening communication, 18 U.S.C. Section 875(c), two counts of interstate transportation of stolen vehicles, 18 U.S.C. Section 2312, two counts of interstate transportation of stolen firearms, 18 U.S.C. Section 922(i), two counts of interstate transportation of a firearm while under an Information for a felony offense, 18 U.S.C. Section 922(n), fugitive in possession of a firearm, 18 U.S.C. Section 922(g)(2), and felon in possession of a firearm, 18 U.S.C. Section 922(g)(1).

A presentence report determined that Christy's advisory guidelines range is 262-327 months in prison. There are no objections to the presentence report. The government submits that a sentence within

that guideline range is reasonable and consistent with the factors set forth in 18 U.S.C. Section 3553(a).

Over the course of a lengthy investigation, law enforcement determined that Christy had posted social media messages that threatened to put a bullet in the head of President Donald J. Trump, threatened to kill Northampton County District Attorney John Morganelli, and threatened to use lethal force against any law enforcement officer that sought to apprehend him. Christy deliberately failed to appear for court proceedings in Schuylkill and Northampton Counties, burglarized his uncle's residence in Luzerne County and stole three guns, broke into and stole vehicles from Rohrer Bus Company and Hazleton Oil and Environmental Company, broke into a school for the deaf and other businesses in Pennsylvania, broke into and stole money from a church in Maryland, broke into and stole items from a residence in Kentucky, including a vehicle, left a note threatening to wage war against the U.S. Marshals Service and other law enforcement, and transported and possessed stolen firearms as a convicted felon and as a fugitive from Pennsylvania. He was apprehended in a wooded area in Ohio after a three-month manhunt in possession of one of the firearms

he stole from his uncle's residence in Pennsylvania.

Christy led federal, state, and local law enforcement on a manhunt, stretching over six states and Canada. Once he obtained guns from his uncle's residence, he was rightly considered armed and dangerous—a threat to DA Morganelli; a threat to the President of the United States; and a threat to the law enforcement officers who sought to apprehend him.

Christy committed four violent crimes of threatening to kill the President and transmitting threats to harm others. *See United States v. Muniz*, 637 Fed. Appx. 65 (3d Cir. 2016) (not precedential) (18 U.S.C. 875(c) is a crime of violence under the guidelines); *United States v. Chapman*, 866 F.3d 129 (3d Cir. 2017) (18 U.S.C. Section 876(c), mailing threatening communications, is a crime of violence). Let us recall what those threats were:

“Keep it up Morganelli, I promise I’ll put a bullet in your head as soon as I put one in the head of President Donald J. Trump. Remember where you came from punk.”

“You’re a dead man Morganelli, \$250 Sarah Palin, Let’s Play”

“As far as your threat of a bench warrant, know this, I will use full lethal force on any law enforcement officer that

attempts to detain me. Fix this or I will. That's a promise."

As relevant conduct he also threatened to burn down the house of police officer.

Christy was an armed and dangerous fugitive for three months, during which time he committed several burglaries and stole three guns and two vehicles. He eluded law enforcement for three months after willfully failing to appear for court proceedings in Schuylkill and Northampton Counties. He threatened to wage war against law enforcement. In a note he left for the U.S. Marshals in Maryland, he wrote:

"I will give you guys a last warning, stay out of my way . . . If you want a war, I will give you a war. And I will promise you I will give you everything I got. Back down."

He demonstrated by his actions that he is a grave danger to the community.

The defendant has four prior criminal convictions. They include a 2012 federal conviction for making harassing telephone calls of a threatening nature to former Alaska Governor Sarah Palin, her family, and employees of the law firm that represented her. These threats were numerous and of a violent and sexual nature. He was originally

sentenced to five years' probation. Christy subsequently had his probation revoked in that case and was sentenced to 24 months in prison. In 2013, he was convicted of a second federal offense of assaulting, resisting and impeding officers and employees. He was sentenced to five years' probation, and subsequently had his probation revoked and received a 9-month prison sentence. In 2018, Christy was sentenced to a year probation for terroristic threats in Northampton County—he committed the instant federal offenses while on probation for that offense, and he deliberately failed to appear for his probation violation hearing. The terroristic threats charge involved Christy during a phone call threatening to kill another person, and when contacted by police Christy told the police that he would kill any officer that came to his door. In 2019, Christy was convicted of simple assault and harassment for assaulting the Mayor of McAdoo Borough—originally, he deliberately failed to appear for that trial and was only tried and convicted after he was apprehended after the three-month manhunt. Christy has demonstrated repeatedly that he is violent, dangerous and has no respect for the law.

There are many victims in this case: the owners of the vehicles he

stole; his uncle, whose home he burglarized and whose guns he stole; the businesses he damaged like Haulmark, Skitko and Redco; the State School for the Deaf; the church in Maryland where he damaged a door and stole money from the poor box; Dakota Meyer and Dakota Meyer's brother, whose Kentucky home he damaged and broke into and where he also stole a vehicle. Christy stole a vehicle in West Virginia. He also stole another vehicle in Maryland. There are 15 victims in all.

These are real flesh and blood victims: **DA John Morganelli**, who had to have extra protection by sheriffs and county detectives; **Dakota Meyer**—one of our nation's heroes—at great expense had to hire security to protect his family when he was away—all because Dakota Meyer played a villain in Shawn Christy's twisted conspiracy theories; and the **President of the United States** and those **federal agents** who protect him.

Shawn Christy demonstrated while he was a fugitive that he respects no law, respects nobody's property (even his own uncle's). Both his demeanor in the courtroom during parts of the trial and his recorded prison visits and phone calls show his utter lack of respect for the law and our criminal justice system. In court, he cursed at prosecutors and

showed disrespect for the Court. During the recorded prison visits, he bragged about his criminal conduct to two confused admirers. He laughed about it. He was proud of what he did.

Regarding the Section 3553(a) factors, a sentence within the advisory guideline range would promote respect for the law—something that Shawn Christy has repeatedly demonstrated he lacks. Such a sentence would also serve to deter others from engaging in similar criminal conduct. It would also reflect the nature and seriousness of his offenses, and provide just punishment for his criminal conduct—conduct that harmed and threatened so many people. Above all, a sentence within the advisory guideline range will protect the public from further crimes by this defendant—that factor is crucial in this case.

Shawn Christy shows no remorse for the crimes he committed. He has no respect for the law or the criminal justice system. He likes to terrorize people—with threats and vile language. The fact that he believes his twisted conspiracy theories makes him even more dangerous. Our community and its people will be safer while he is in prison.

Based on all of the above, the government requests the Court to impose a sentence within the guideline range of 262-327 months.

Respectfully submitted

DAVID J. FREED
United States Attorney

/s/ Francis P. Sempa
FRANCIS P. SEMPA
Assistant United States Attorney
ID No. 41294
P.O. Box 309
Scranton, PA 18501-0309
(570) 348-2800
Fran.sempa@usdoj.gov

Dated: July 27, 2020

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion as to be competent to serve papers.

That on July 27, 2020, she served a copy of the attached:

GOVERNMENT'S SENTENCING MEMORANDUM

by ECF to:

David Cherundolo, Esq.

And by regular mail to:

Shawn Christy
Lackawanna County Prison
1371 N Washington Ave
Scranton, PA 18509

/s/ Luann Manning
Luann Manning
Supervisory Legal Assistant